

AMENDED IN SENATE APRIL 18, 2005

SENATE BILL

No. 230

Introduced by Senator Figueroa

February 15, 2005

An act to amend Section 473.15 of the Business and Professions Code, relating to the Osteopathic Medical Board of California.

LEGISLATIVE COUNSEL'S DIGEST

SB 230, as amended, Figueroa. Osteopathic Medical Board of California.

The Osteopathic Initiative Act provides for the creation of the Osteopathic Medical Board of California to license and regulate osteopathic physicians. ~~The act provides that it may be amended by the Legislature~~ *Existing law requires the board to prepare an analysis and submit a report, containing specified information, to the Joint Committee on Boards, Commissions, and Consumer Protection on or before September 1, 2004.*

~~This bill would state the intent of the Legislature to amend the act require the board to prepare the analysis and submit the report to the Joint Committee on Boards, Commissions, and Consumer Protection on or before September 1, 2010.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact~~
2 ~~legislation relative to the Osteopathic Medical Board of~~
3 ~~California.~~

1 *SECTION 1. Section 473.15 of the Business and Professions*
2 *Code is amended to read:*

3 473.15. (a) The Joint Committee on Boards, Commissions,
4 and Consumer Protection established pursuant to Section 473
5 shall review the following boards established by initiative
6 measures, as provided in this section:

7 (1) The State Board of Chiropractic Examiners established by
8 an initiative measure approved by electors November 7, 1922.

9 (2) The Osteopathic Medical Board of California established
10 by an initiative measure approved June 2, 1913, and acts
11 amendatory thereto approved by electors November 7, 1922.

12 (b) The Osteopathic Medical Board of California shall prepare
13 an analysis and submit a report as described in subdivisions (a) to
14 (e), inclusive, of Section 473.2, to the Joint Committee on
15 Boards, Commissions, and Consumer Protection on or before
16 September 1, ~~2004~~ 2010.

17 (c) The State Board of Chiropractic Examiners shall prepare
18 an analysis and submit a report as described in subdivisions (a) to
19 (e), inclusive, of Section 473.2, to the Joint Committee on
20 Boards, Commissions, and Consumer Protection on or before
21 September 1, 2005.

22 (d) The Joint Committee on Boards, Commissions, and
23 Consumer Protection shall, during the interim recess of 2004 for
24 the Osteopathic Medical Board of California, and during the
25 interim recess of 2005 for the State Board of Chiropractic
26 Examiners, hold public hearings to receive testimony from the
27 Director of Consumer Affairs, the board involved, the public, and
28 the regulated industry. In that hearing, each board shall be
29 prepared to demonstrate a compelling public need for the
30 continued existence of the board or regulatory program, and that
31 its licensing function is the least restrictive regulation consistent
32 with the public health, safety, and welfare.

33 (e) The Joint Committee on Boards, Commissions, and
34 Consumer Protection shall evaluate and make determinations
35 pursuant to Section 473.4 and shall report its findings and
36 recommendations to the department as provided in Section 473.5.

37 (f) In the exercise of its inherent power to make investigations
38 and ascertain facts to formulate public policy and determine the
39 necessity and expediency of contemplated legislation for the
40 protection of the public health, safety, and welfare, it is the intent

1 of the Legislature that the State Board of Chiropractic Examiners
2 and the Osteopathic Medical Board of California be reviewed
3 pursuant to this section.

4 (g) It is not the intent of the Legislature in requiring a review
5 under this section to amend the initiative measures that
6 established the State Board of Chiropractic Examiners or the
7 Osteopathic Medical Board of California.

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